

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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NEW MEXICO UNITED FOOD AND COMMERCIAL WORKER UNION'S AND EMPLOYERS' HEALTH AND WELFARE TRUST FUND, on behalf of itself and all others similarly situated,	:	ECF CASE
	:	Civil Action No.: 07-CV-6916 (JGK)
Plaintiff,	:	<b><u>NOTICE OF MOTION</u></b>
v.	:	
PURDUE PHARMA L.P., <i>et al.</i> ,	:	
Defendants.	:	

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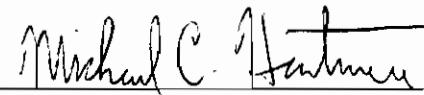
**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, the exhibit attached thereto, and upon all papers and proceedings heretofore had herein, Defendants Abbott Laboratories and Abbott Laboratories, Inc. (together, "Abbott") shall petition this Court on such date to be determined by the Court at 500 Pearl Street, New York, New York, 10007-1312, for an order (i) pursuant to Federal Rule of Civil Procedure 12(b)(1) dismissing with prejudice all of Plaintiff's claims as to Defendant Abbott, and (ii) granting Defendant Abbott such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that answering papers, if any, must be served on the undersigned counsel within ten (10) business days after service of this notice.

**PLEASE TAKE FURTHER NOTICE** that reply papers, if any, must be served within five (5) business days after service of the answering papers.

Dated: October 9, 2007  
New York, New York

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